

LABEL, IN PART: "Whole Anise."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), dirt, sand, and limestone had been substituted in part for anise, which the article was represented to be.

DISPOSITION: April 29, 1947. Default decree of condemnation and destruction.

12745. Adulteration of ground ginger. U. S. v. 3 Barrels * * *. (F. D. C. No. 23142. Sample No. 91239-H.)

LIBEL FILED: May 26, 1947, District of Connecticut.

ALLEGED SHIPMENT: On or about March 27, 1947, by R. J. Prentiss & Company, Inc., from Brooklyn, N. Y.

PRODUCT: 3 200-pound barrels of ground ginger at Hartford, Conn.

LABEL, IN PART: "Pow. Ginger."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments.

DISPOSITION: June 25, 1947. Consent decree of condemnation and destruction.

12746. Adulteration of mustard, sweet pickles, and apple butter. U. S. v. The Western Food Products Co., Inc., and Newton H. Benschmidt. Pleas of guilty. Corporation and individual each fined \$300. (F. D. C. No. 22079. Sample Nos. 48654-H, 67063-H, 67361-H.)

INFORMATION FILED: July 12, 1947, District of Kansas, against the Western Food Products Co., Inc., Hutchinson, Kans., and Newton H. Benschmidt, president and manager.

ALLEGED SHIPMENT: On or about September 20 and 21 and October 5, 1946, from the State of Kansas into the States of Colorado, Missouri, and Nebraska.

LABEL, IN PART: "Rich-Nut Dusseldorf Mustard," "Maple Leaf Brand Sweet Pickles * * * Packed for Ryley-Wilson Gro. Co. Kansas City, Mo.," and "Western Maid Pure Apple Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (sweet pickles and apple butter) the products consisted in part of filthy substances by reason of the presence, in the pickles, of insects and, in the apple butter, of insects, insect fragments, and rodent hairs; and, Section 402 (a) (4), (mustard, sweet pickles, and apple butter) the products had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: July 18, 1947. Pleas of guilty having been entered on behalf of the defendants, the corporation and individual were each fined \$300.

12747. Adulteration of mustard flour. U. S. v. 131 Barrels * * *. (F. D. C. No. 22509. Sample No. 62834-H.)

LIBEL FILED: February 19, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about December 27, 1946, from Philadelphia, Pa.

PRODUCT: 131 200-pound barrels of mustard flour at San Francisco, Calif. The product had been damaged in transit. Some of the barrel heads had been broken in or smashed, and the product in these barrels was contaminated with a substance containing zinc chromate, apparently a yellow pigment.

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the article contained an added poisonous and deleterious substance, zinc chromate, which may have rendered it injurious to health.

DISPOSITION: May 2, 1947. The Luckenbach Steamship Company, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released upon payment of court costs and fees, to be brought into compliance with the law, under the supervision of the Federal Security Agency.

12748. Adulteration and misbranding of black pepper. U. S. v. 60 dozen Packages * * * (and 10 other seizure actions). (F. D. C. Nos. 21407, 21408, 21626, 21708, 21747, 21748, 21782, 21854, 22457, 22556, 23048. Sample Nos. 39854-H, 39855-H, 40116-H, 40117-H, 40150-H, 40161-H, 49918-H, 49919-H, 52686-H, 53381-H, 54594-H, 54597-H, 76303-H.)

LIBELS FILED: Between November 6, 1946, and May 23, 1947, Western District of Tennessee, Northern and Middle Districts of Georgia, Northern District of Alabama, Southern District of Indiana, and Eastern District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of August 3 and October 29, 1946, by J. J. Brodsky & Sons, from Chicago, Ill.

PRODUCT: 160 dozen 1-ounce packages, 1,425 cards, and 4 cartons of black pepper at Dyersburg, Jackson, and Huntingdon, Tenn.; Atlanta and Cuthbert, Ga.; Birmingham, Ala.; New Albany and Indianapolis, Ind.; and Sikeston, Mo. Each carton contained 72 1-ounce packages, and each display card contained 24 envelopes in $\frac{3}{4}$ -ounce and 1-ounce sizes.

LABEL, IN PART: "Ground Black Pepper * * * Midstates Products Co. Chicago, Ill.," "Damore Brand Pure Black Pepper Packed by Damore Spice Company, Chicago 24, Ill.," "Shure Good Black Pepper Packed by Sure Foods Specialty Co. Chicago, Ill.," or "Gee! Zee Finest Black Pepper Gee Zee Food Products Co. Chicago, Ill."

NATURE OF CHARGE: Atlanta lot. Adulteration, Section 402 (b) (2), a mixture of pepper and starch material had been substituted for black pepper; and, Section 402 (b) (4), starch material had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Remaining lots. Adulteration, Section 402 (b) (2), substances containing, variously, cottonseed hulls, soybean hulls, wheat flour, ground wheat, ground buckwheat, buckwheat hulls, soybean meal, salt, or other plant material, had been substituted in whole or in part for black pepper.

All lots. Misbranding, Section 403 (a), the label designations "Ground Black Pepper," "Pure Black Pepper," and "Black Pepper" were false and misleading.

DISPOSITION: Between December 10, 1946, and June 23, 1947. Default decrees of condemnation. 726 cards of the product were ordered delivered to charitable institutions, and the remainder of the product was ordered destroyed.

12749. Adulteration and misbranding of black pepper. U. S. v. 24 Cards * * *.
(F. D. C. No. 22926. Sample No. 90778-H.)

LIBEL FILED: October 7, 1946, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about November 25, 1946, by the Suburban Sales Co., from Philadelphia, Pa.

PRODUCT: 24 cards, each containing 12 $\frac{3}{4}$ -ounce bags, of black pepper at Arlington, Va.

LABEL, IN PART: "Red Star Pure Black Pepper Packed by Red Star Packing Company, Philadelphia, Pa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance consisting essentially of salt, ground buckwheat hulls, starch material, and ground pepper, had been substituted in whole or in part for pure black pepper.

Misbranding, Section 403 (a), the label designation "Pure Black Pepper" was false and misleading.

DISPOSITION: June 26, 1947. Default decree of condemnation and destruction.

12750. Misbranding of pepper. U. S. v. 5 Drums * * *. (F. D. C. No. 22685. Sample Nos. 57648-H, 57649-H.)

LIBEL FILED: March 21, 1947, District of Rhode Island.

ALLEGED SHIPMENT: On or about November 4 and 13, 1946, by the Columbus Wholesale Grocery Co., from Providence, R. I., to Hartford, Conn., and returned by the consignee to Providence, R. I., on or about December 12, 1946, and January 9, 1947.

PRODUCT: Pepper. 3 100-pound drums and 2 200-pound drums at Providence, R. I. The product was invoiced as pepper.

LABEL, IN PART: (Portion) "100 Lbs. Net." The remainder of the product was unlabeled.

NATURE OF CHARGE: Misbranding, Section 403 (b), the article was offered for sale under the name of another food; Section 403 (c), it was an imitation of another food, pepper, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; Section 403 (e), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), it was fabricated from 2 or more ingredients, and its label failed to bear the common or usual name of each ingredient. The product was an